

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rory Pheiffer on August 26, 2009.

The application has been amended as follows:

Replace Claim 1 with the following:

Claim 1. A spinal fixation system, comprising:

at least two bone anchors having a bone-engaging portion and a rod receiving portion with opposed arms that receive a rod therebetween;

a rod disposable between the opposed arms of the rod receiving portion of one of the at least two bone anchors; and

a connecting plate having a distal surface that bears against a proximal terminal end surface of each of the opposed arms of the rod receiving portion of at least one of the bone anchors, the connecting plate connecting the at least two bone anchors.

Replace Claim 60 with the following:

Claim 60. A method of fixing vertebrae relative to each other, comprising the steps of:

implanting a first bone anchor and a second bone anchor on opposite sides of a first vertebra, each of the first and second bone anchors including opposed arms of a rod receiving portion and each of the opposed arms having a proximal terminal end surface;

disposing a fixation element between the opposed arms of the rod receiving portion of the first bone anchor;

positioning a distal surface of a connecting plate of a connecting plate on the proximal terminal end surfaces of each of the opposed arms of the rod receiving portions of the first and second bone anchors; and

inserting a closure mechanism through the connecting plate to engage the rod receiving portion of the first bone anchor.

Replace Claim 61 with the following:

Claim 61. The method of claim 60, further including the steps of:

implanting a third bone anchor in a second vertebra, the third bone anchor including a receiving portion, and

connecting the first and third bone anchors with the fixation element by disposing the fixation element between the opposed arms of the rod receiving portion of the third bone anchor.

Replace Claim 63 with the following:

Claim 63. The method of claim 61, further including the steps of:

implanting a fourth bone anchor in the second vertebra on a side of the spine opposite the third bone anchor, the fourth bone anchor including a proximal bearing surface and coupling a connecting plate to a proximal bearing surface of the third bone anchor and to the proximal bearing surface of the fourth bone anchor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW YANG whose telephone number is (571)272-3472. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Barrett can be reached on (571)272-4746. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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